

1 Filed by:
2 Merits Panel
3 Board of Patent Appeals and Interferences
4 Mail Stop Interference
5 P.O. Box 1450
6 Alexandria, VA 22313-1450
7 Tel: 571-272-4683
8 Fax: 571-273-0042

Paper 36

9

10 UNITED STATES PATENT AND TRADEMARK OFFICE

11

12

13 BEFORE THE BOARD OF PATENT APPEALS
14 AND INTERFERENCES

15

16

17 PENG LIANG,

18

19 Junior Party
20 (Patent 6,902,930 B2),

21

22 v.

23

24 LAURE DUMOUTIER and JEAN-CHRISTOPHE RENAUD,

25

26 Senior Party
27 (Application 09/915,735).

28

29

30 Patent Interferences 105,417 (McK)
31 Technology Center 1600

32

33

34 Entered: 26 October 2006

35

36

37 Before: McKELVEY, Senior Administrative Patent Judge, and SCHAFER
38 and MOORE, Administrative Patent Judges.

39

40 McKELVEY, Senior Administrative Patent Judge.

41

42 JUDGMENT

43

44 Upon consideration of DUMOUTIER REQUEST FOR ENTRY OF
45 ADVERSE JUDGMENT (Paper 35), it is

1 ORDERDED that judgment on priority as to Count 1 (the sole
2 count in the interference; Paper 1, page 8) is awarded against Senior Party
3 LAURE DUMOUTIER and JEAN-CHRISTOPHE RENAUDL.

4 FURTHER ORDERED that Senior Party LAURE
5 DUMOUTIER and JEAN-CHRISTOPHE RENAUDL is not entitled to a
6 patent containing claim 1 (corresponding to Count 1) of:

7 Application 09/915,735
8 filed 26 July 2001
9

10 FURTHER ORDERED that if there is a settlement agreement,
11 attention is directed to 35 U.S.C. § 135(c).

12 FURTHER ORDERED that a copy of this JUDGMENT
13 shall be placed in the files of (1) U.S. Patent 6,902,930 B2 and
14 (2) application 09/915,735.

15

16 /ss/ Fred E. McKelvey)
17 FRED E. McKELVEY)
18 *Senior Administrative Patent Judge*)
19) BOARD OF
20 /ss/ Richard E. Schafer) PATENT
21 RICHARD E. SCHAFER) APPEALS
22 *Administrative Patent Judge*) AND
23) INTERFERENCES
24 /ss/ James T. Moore)
25 JAMES T. MOORE)
26 *Administrative Patent Judge*)

1 cc (via Electronic Mail)
2
3 Attorney for Liang
4 (real party in interest Vanderbilt University):
5
6 Robert A. Hodges, Esq.
7 Gwendolyn D. Spratt, Esq.
8 NEEDLE & ROSENBERG, P.C.
9 Suite 1000
10 999 Peachtree Street
11 Atlanta, GA 39309-3915
12
13 Tel: 678-420-9300
14 Fax: 678-420-9301
15 Email: rhodges@needlerosenberg.com
16 Email: gspratt@needlerosenberg.com
17
18 Attorney for Dumoutier
19 (real party in interest WYETH):
20
21 Stephen P. O'Connor, Esq.
22 Timothy B. Donaldson, Jr., Esq.
23 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.
24 11955 Freedom Drive
25 Reston, VA 20190-5675
26
27 Tel: 571-203-2718 (O'Connor)
28 Tel: 571-203-2712 (Donaldson)
29 Fax: 202-408-4400
30 Email: steven.oconnor@finnegan.com
31 Email: timothy.donaldson@finnegan.com

Townes, Yolunda

From: Townes, Yolunda on behalf of Interference Trial Section
Sent: Thursday, October 26, 2006 3:15 PM
To: 'rhodges@needlerosenberg.com'; 'gspratt@needlerosenberg.com'; 'steven.oconnor@finnegan.com'; 'timothy.donaldson@finnegan.com'
Subject: Interference #105417_036 (McK) - Judgment
Attachments: jd105417_036.pdf

Judgment

Yolunda R. Townes
Paralegal Specialist
Interference Trial Section
571-272-4683